
ENGROSSED SENATE BILL 5374

State of Washington

58th Legislature

2003 Regular Session

By Senators Roach, Fairley, Horn, Stevens, McAuliffe and Winsley; by request of Secretary of State

Read first time 01/23/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the election account; reenacting and amending
2 RCW 43.84.092; adding a new section to chapter 29.04 RCW; and declaring
3 an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29.04 RCW
6 to read as follows:

7 (1) The election account is created in the state treasury.

8 (2) The following receipts must be deposited into the account:

9 Amounts received from the federal government under Public Law 107-252
10 (October 29, 2002), known as the "Help America Vote Act of 2002,"
11 including any amounts received under subsequent amendments to the act;
12 amounts appropriated or otherwise made available by the state
13 legislature for the purposes of carrying out activities for which
14 federal funds are provided to the state under Public Law 107-252,
15 including any amounts received under subsequent amendments to the act;
16 and such other amounts as may be appropriated by the legislature to the
17 account.

18 (3) Moneys in the account may be spent only after appropriation.

1 Expenditures from the account may be made only to facilitate the
2 implementation of Public Law 107-252.

3 **Sec. 2.** RCW 43.84.092 and 2002 c 242 s 2, 2002 c 114 s 24, and
4 2002 c 56 s 402 are each reenacted and amended to read as follows:

5 (1) All earnings of investments of surplus balances in the state
6 treasury shall be deposited to the treasury income account, which
7 account is hereby established in the state treasury.

8 (2) The treasury income account shall be utilized to pay or receive
9 funds associated with federal programs as required by the federal cash
10 management improvement act of 1990. The treasury income account is
11 subject in all respects to chapter 43.88 RCW, but no appropriation is
12 required for refunds or allocations of interest earnings required by
13 the cash management improvement act. Refunds of interest to the
14 federal treasury required under the cash management improvement act
15 fall under RCW 43.88.180 and shall not require appropriation. The
16 office of financial management shall determine the amounts due to or
17 from the federal government pursuant to the cash management improvement
18 act. The office of financial management may direct transfers of funds
19 between accounts as deemed necessary to implement the provisions of the
20 cash management improvement act, and this subsection. Refunds or
21 allocations shall occur prior to the distributions of earnings set
22 forth in subsection (4) of this section.

23 (3) Except for the provisions of RCW 43.84.160, the treasury income
24 account may be utilized for the payment of purchased banking services
25 on behalf of treasury funds including, but not limited to, depository,
26 safekeeping, and disbursement functions for the state treasury and
27 affected state agencies. The treasury income account is subject in all
28 respects to chapter 43.88 RCW, but no appropriation is required for
29 payments to financial institutions. Payments shall occur prior to
30 distribution of earnings set forth in subsection (4) of this section.

31 (4) Monthly, the state treasurer shall distribute the earnings
32 credited to the treasury income account. The state treasurer shall
33 credit the general fund with all the earnings credited to the treasury
34 income account except:

35 (a) The following accounts and funds shall receive their
36 proportionate share of earnings based upon each account's and fund's
37 average daily balance for the period: The capitol building

1 construction account, the Cedar River channel construction and
2 operation account, the Central Washington University capital projects
3 account, the charitable, educational, penal and reformatory
4 institutions account, the common school construction fund, the county
5 criminal justice assistance account, the county sales and use tax
6 equalization account, the data processing building construction
7 account, the deferred compensation administrative account, the deferred
8 compensation principal account, the department of retirement systems
9 expense account, the drinking water assistance account, the drinking
10 water assistance administrative account, the drinking water assistance
11 repayment account, the Eastern Washington University capital projects
12 account, the education construction fund, the election account, the
13 emergency reserve fund, the federal forest revolving account, the
14 health services account, the public health services account, the health
15 system capacity account, the personal health services account, the
16 state higher education construction account, the higher education
17 construction account, the highway infrastructure account, the
18 industrial insurance premium refund account, the judges' retirement
19 account, the judicial retirement administrative account, the judicial
20 retirement principal account, the local leasehold excise tax account,
21 the local real estate excise tax account, the local sales and use tax
22 account, the medical aid account, the mobile home park relocation fund,
23 the multimodal transportation account, the municipal criminal justice
24 assistance account, the municipal sales and use tax equalization
25 account, the natural resources deposit account, the oyster reserve land
26 account, the perpetual surveillance and maintenance account, the public
27 employees' retirement system plan 1 account, the public employees'
28 retirement system combined plan 2 and plan 3 account, the public
29 facilities construction loan revolving account beginning July 1, 2004,
30 the public health supplemental account, the Puyallup tribal settlement
31 account, the regional transportation investment district account, the
32 resource management cost account, the site closure account, the special
33 wildlife account, the state employees' insurance account, the state
34 employees' insurance reserve account, the state investment board
35 expense account, the state investment board commingled trust fund
36 accounts, the supplemental pension account, the Tacoma Narrows toll
37 bridge account, the teachers' retirement system plan 1 account, the
38 teachers' retirement system combined plan 2 and plan 3 account, the

1 tobacco prevention and control account, the tobacco settlement account,
2 the transportation infrastructure account, the tuition recovery trust
3 fund, the University of Washington bond retirement fund, the University
4 of Washington building account, the volunteer fire fighters' and
5 reserve officers' relief and pension principal fund, the volunteer fire
6 fighters' and reserve officers' administrative fund, the Washington
7 fruit express account, the Washington judicial retirement system
8 account, the Washington law enforcement officers' and fire fighters'
9 system plan 1 retirement account, the Washington law enforcement
10 officers' and fire fighters' system plan 2 retirement account, the
11 Washington school employees' retirement system combined plan 2 and 3
12 account, the Washington state health insurance pool account, the
13 Washington state patrol retirement account, the Washington State
14 University building account, the Washington State University bond
15 retirement fund, the water pollution control revolving fund, and the
16 Western Washington University capital projects account. Earnings
17 derived from investing balances of the agricultural permanent fund, the
18 normal school permanent fund, the permanent common school fund, the
19 scientific permanent fund, and the state university permanent fund
20 shall be allocated to their respective beneficiary accounts. All
21 earnings to be distributed under this subsection (4)(a) shall first be
22 reduced by the allocation to the state treasurer's service fund
23 pursuant to RCW 43.08.190.

24 (b) The following accounts and funds shall receive eighty percent
25 of their proportionate share of earnings based upon each account's or
26 fund's average daily balance for the period: The aeronautics account,
27 the aircraft search and rescue account, the county arterial
28 preservation account, the department of licensing services account, the
29 essential rail assistance account, the ferry bond retirement fund, the
30 grade crossing protective fund, the high capacity transportation
31 account, the highway bond retirement fund, the highway safety account,
32 the motor vehicle fund, the motorcycle safety education account, the
33 pilotage account, the public transportation systems account, the Puget
34 Sound capital construction account, the Puget Sound ferry operations
35 account, the recreational vehicle account, the rural arterial trust
36 account, the safety and education account, the special category C
37 account, the state patrol highway account, the transportation equipment

1 fund, the transportation fund, the transportation improvement account,
2 the transportation improvement board bond retirement account, and the
3 urban arterial trust account.

4 (5) In conformance with Article II, section 37 of the state
5 Constitution, no treasury accounts or funds shall be allocated earnings
6 without the specific affirmative directive of this section.

7 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and takes effect
10 immediately.

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